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September 12, 2013

Our Ref: 796-08/GMV

**\*\*Redacted Version\*\***

**Letter Motion for Adjustment in Briefing Schedule**

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**Via Telefax: (212) 805-7917**

Hon. Robert P. Patterson  
United States District Judge  
500 Pearl St.  
New York, NY 10007-1312

Re: Levin v. Bank of New York  
09-cv-5900 (RPP)(MHD)

Dear Judge Patterson,

We represent Third-Party Defendant [REDACTED] in connection with the above-referenced matter.<sup>1</sup> As the Court may recall from the August 20 conference, we are involved in an ongoing issue with Third-Party Defendant [REDACTED] concerning [REDACTED] claim to be reimbursed its attorney's fees incurred in this litigation out of the [REDACTED] funds that were a subject of this litigation. The Court directed the parties to attempt to resolve their differences, failing which [REDACTED] can file a motion on the point. The current deadline for the filing of the motion is September 13. We are writing to request a week extension of that deadline. This is the second request for an adjournment, and no other deadlines would be impacted by the adjournment.

The reason for the request is that the parties and counsel have continued their settlement discussions this week, but because of time differences with Singapore (where both [REDACTED] and [REDACTED] are located), those discussions have taken more time than anticipated. We believe an additional week will give the parties sufficient time to see if they can reach agreement failing which [REDACTED] motion would be due on or before September 20.

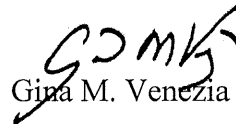
<sup>1</sup> A redacted version of this letter will be filed on ECF.

Hon. Robert P. Patterson  
September 12, 2013  
Page 2 of 2

Counsel for [REDACTED] has advised that [REDACTED] consents to this request.

We thank the Court for its time and attention.

Respectfully,  
FREEHILL HOGAN & MAHAR LLP

  
Gina M. Venezia

GMV:mjg

Cc: **Via Email**

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